

REMARKS

In the Final Office Action mailed on October 23, 2006 ("Office Action"), the Examiner: rejected claims 1-25 under 35 U.S.C. § 102(e) over U.S. Patent Application Publication No. 2001/0029455 to Chin et al. ("Chin"); rejected claims 1, 13, 37-39 and 41-47 under 35 U.S.C. § 102(e) over U.S. Patent Application Publication No. 2002/0188670 to Stringham ("Stringham"); and rejected claim 40 under 35 U.S.C. § 103(a) over Stringham and U.S. Patent Application Publication No. 2001/0003202 to Mache et al. ("Mache"). Applicant herein amends claims 37-41 and 43, and cancels claims 1-25. As a result, claims 37-47 are pending. Further examination and review in view of the amendments and remarks below are respectfully requested.

Applicant's techniques are directed to translating instant messages between two or more users over a network. Each user first establishes a user profile indicating a language preference (or preferred language) for viewing the instant messages. When a user selects another user (recipient user) to instant message with, the user's device sends the user's language preference to the recipient user's device. In return, the user's device may receive the recipient user's language preference from the recipient user's device. Then, when the user composes a message in the user's language preference for sending to the recipient user, the user's device translates the message from the user's language preference to the recipient user's language preference, and transmits the translated message to the recipient user via the network. In this manner, Applicant's techniques enable users who speak different languages to communicate via instant messages using their own preferred viewing languages.

The Examiner rejected claims 1-25 under 35 U.S.C. § 102(e) over Chin. Without conceding the propriety of this rejection, Applicant herein cancels claims 1-25, thus making this rejection moot.

The Examiner also rejected claims 1 and 13 under 35 U.S.C. § 102(e) over Stringham. Without conceding the propriety of this rejection, as indicated above, Applicant herein cancels claims 1 and 13, thus making this rejection moot.

The Examiner rejected claims 37-39 and 41-47 under 35 U.S.C. § 102(e) over Stringham, and claim 40 under 35 U.S.C. § 103(a) over Stringham and Mache. Applicant respectfully traverses this rejection. Nevertheless, Applicant has amended independent claims 37 and 43 to further clarify that translation preferences for the users are exchanged between the users' respective devices. For example, Applicant herein amends independent claim 37 to recite "sending by the first device to the second device an indication of the first translation preference" and "receiving by the first device from the second device an indication of the second translation preference," and independent claim 43 to recite "a server for receiving from the first device the designation information of the first preferred user language, for receiving from the second device the designation information of the second preferred language, for sending to the second device the designation information of the first preferred user language, and for sending to the first device the designation information of the second preferred user language." Independent claim 47 continues to recite "the instant messaging application accepts the instant message input data and the translation module [of the device] translates the instant message input data from the first human readable language into the second human readable language according to the translation preference received from the second device."

The Examiner believes that Stringham's discussion at paragraph [0020] of the e-mail program translating the document from the language of the user to the language of the designated correspondent corresponds to the claimed exchange of translation preferences for the users between the users' respective devices. Although Stringham teaches a user's e-mail program on a computer translating a message from the language of the user to the language of the designated correspondent, Stringham also teaches that the user's e-mail program translates the message to the language of the designated

correspondent according to an indication of the language of the correspondent stored in a database included in the e-mail program, and that the user of the e-mail program stores the indication information regarding the language of the correspondent in the database. (Stringham, [0017].) According to Stringham, the user who is sending the e-mail message specifies the correspondent's language. Moreover, the information regarding the language of the correspondent is entered into and maintained on the same device (e.g., the user's computer). This is in contrast to Applicant's claimed exchange of translation preferences for the users between the users' respective devices. Indeed, Stringham does not teach, and Applicant is unable to find anything in Stringham that teaches or suggests the users' respective devices exchanging the translation preferences for their respective user.

In view of the foregoing, Applicant respectfully submits that claims 37-47 are allowable and ask that this application be passed to allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-8000.

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